

No. 87-1589-CFX  
Status: GRANTED

Title: Pittsburgh & Lake Erie Railroad Company, Petitioner  
v.  
Railway Labor Executives' Association

Docketed:  
March 24, 1988

Court: United States Court of Appeals  
for the Third Circuit

Vide:  
87-1888

Counsel for petitioner: Wyatt, Richard L.

Counsel for respondent: Clarke Jr., John O'B., Rush, Henri F.

See also:  
87-1888  
87-2049  
88-217  
88-464  
88-711

Entry	Date	Note	Proceedings and Orders
1	Jan 20 1988		Application for extension of time to file petition and order granting same until February 23, 1988 (Brennan, January 20, 1988).
2	Feb 12 1988		Application for further extension of time to file petition and order granting same until March 24, 1988 (Brennan, February 17, 1988).
3	Mar 24 1988	G	Petition for writ of certiorari filed.
4	Apr 19 1988		Brief amicus curiae of Natl. Railway Labor Conference filed.
7	Apr 21 1988		Order extending time to file response to petition until May 24, 1988.
5	Apr 27 1988		Supplemental brief of petitioner Pittsburgh & Lake Erie Railroad Company filed.
8	Apr 27 1988		LODGING RECEIVED.
9	May 27 1988		Order further extending time to file response to petition until May 31, 1988.
10	May 27 1988		The above further extension of time was granted by Justice Brennan.
11	May 31 1988		DISTRIBUTED. June 16, 1988
12	Jun 1 1988		Order further extending time to file response to petition until June 6, 1988.
13	Jun 6 1988		Brief of respondent Railway Labor Executives' Assn. in opposition filed.
14	Jun 14 1988		REDISTRIBUTED. June 29, 1988
16	Jun 22 1988	X	Reply brief of petitioner Pittsburgh & Lake Erie Railroad Company filed.
18	Jun 30 1988	P	The Solicitor General is invited to file a brief in this case expressing the views of the United States.
20	Nov 7 1988		Brief amicus curiae of United States filed. VIDED.
19	Nov 8 1988		REDISTRIBUTED. November 23, 1988
21	Nov 10 1988	X	Memorandum of respondent ICC filed. VIDED.
22	Nov 18 1988	X	Supplemental brief of respondent Railway Labor Executives' Assn. filed.
23	Nov 22 1988	X	Supplemental brief of petitioner Pittsburgh & Lake Erie Railroad Company filed. VIDED.
24	Nov 28 1988		Petition GRANTED. The case is consolidated with 87-1888, and a total of one hour and thirty minutes is allotted

Entry	Date	Note	Proceedings and Orders
			for oral argument. *****
25	Dec 6 1988		Appendix of petitioner Pittsburgh & Lake Erie Railroad Company filed. VIDED.
26	Dec 19 1988	D	Motion of respondent to argue these cases in tandem with No. 88-1, Consolidated Rail Corporation v. Railway Labor Executives Association filed.
27	Dec 28 1988	G	Application (A88-512) by Pittsburgh & Lake Erie Railroad Company to file a in excess of page limits, submitted to Justice Brennan.
29	Dec 28 1988		DISTRIBUTED. Jan. 6, 1989. (Motion of respondent to argue this case in tandem with 88-1, Consolidated Rail Corp.v. Rwy. Labor Exec. Assn.).
28	Dec 30 1988		Application (A88-512) granted by Justice Brennan, allowing a maximum of 75 pages.
31	Jan 5 1989		Order extending time to file brief of petitioner on the merits until January 19, 1989.
32	Jan 9 1989		Motion of respondent to argue these cases in tandem with No. 88-1, Consolidated Rail Corporation v. Railway Labor Executives Association DENIED.
33	Jan 9 1989		Record filed.
		*	Certified coy of original record, box, received.
34	Jan 17 1989		Record filed.
		*	Certified copy of C. A. proceedings received.
37	Jan 18 1989		Brief amicus curiae of Natl. Railway Labor Conference filed. VIDED.
39	Jan 18 1989		Brief of respondent ICC filed. VIDED.
35	Jan 19 1989		Brief amici curiae of Regional Railroads of America, et al. filed. VIDED.
36	Jan 19 1989		Brief amicus curiae of South Dakota filed. VIDED.
38	Jan 19 1989		Brief amici curiae of Guilford Transportation Industries, Inc., et al filed. VIDED.
40	Jan 19 1989		Joint appendix filed. VIDED.
41	Jan 19 1989		Brief of petitioner Pittsburgh & Lake Erie Railroad Company filed. VIDED.
42	Jan 19 1989		Brief amicus curiae of United States filed. VIDED.
43	Jan 19 1989		Brief amici curiae of Chicago & North Western Transportation Co., et al. filed. VIDED.
44	Feb 1 1989	G	Application (A88-614) by Respondent Railway Labor Executives' Association to file a respondent's brief in excess of page limits, submitted to Justice Brennan.
45	Feb 1 1989		Application (A88-614) granted by Justice Brennan, allowing a maximum of 75 pages.
46	Feb 3 1989		SET FOR ARGUMENT WEDNESDAY, MARCH 29, 1989. (3RD CASE -- 1 HOUR 30 MINUTES)
47	Feb 3 1989	G	Motion of the Acting Solicitor General for leave to participate in oral argument as amicus curiae and for divided argument filed.
49	Feb 8 1989		Order extending time to file brief of respondent on the merits until March 1, 1989.
50	Feb 8 1989		Response filed by respondent ICC to motion of the Acting

Entry	Date	Note	Proceedings and Orders
51	Feb 10 1989		Solicitor General to participate in oral argument. Response filed by petitioner to motion of the Acting Solicitor General for leave to participate in oral argument.
52	Feb 13 1989		Response filed by respondent to motion of the Acting Solicitor General for leave to participate in oral argument as amicus curiae.
54	Feb 13 1989	D	Motion of respondent Interstate Commerce Commission for divided argument filed.
53	Feb 14 1989		Response filed by National Railway Labor Conference, et al. to motion of the Acting Solicitor General for leave to participate in oral argument.
55	Feb 21 1989		Motion of respondent Interstate Commerce Commission for divided argument DENIED.
56	Feb 21 1989		Motion of the Acting Solicitor General for leave to participate in oral argument as amicus curiae and for divided argument GRANTED. to be divided as follows: 30 minutes for the petitioner; 30 minutes for the respondent; and 30 minutes for the Acting Solicitor General, as amicus curiae.
57	Feb 23 1989		Order further extending time to file brief of respondent on the merits until March 3, 1989.
58	Mar 1 1989		CIRCULATED.
59	Mar 1 1989		CIRCULATED.
60	Mar 3 1989	X	Brief of respondent Rwy Labor Exec. Assn. filed. VIDED.
61	Mar 3 1989	X	Brief amicus curiae of AFL-CIO filed.
62	Mar 7 1989	G	Application (A88-710) by Petitioner to file a reply brief in excess of page limits, submitted to Justice Brennan.
63	Mar 8 1989		Lodging received.
64	Mar 9 1989		Application (A88-710) granted by Justice Brennan, allowing a maximum of 35 pages.
65	Mar 22 1989	X	Reply brief of petitioner Pittsburgh & Lake Erie Railroad Company filed. VIDED.
66	Mar 29 1989		ARGUED.